

REMARKS

The Examiners are thanked for the courtesy of the interview granted applicants' attorney on January 20, 2004, and for the helpful discussion and comments offered concerning the application.

By the foregoing amendments, independent claims 1 and 17 are amended to more clearly define the relationship between the layers therein.

Drawings

Submitted herewith are revised formal drawings, together with a copy of the original drawings marked in red to show the corrections thereto. The circles in the drawings are pores in the foam. The wavy horizontal lines and the cross hatching are to be removed. See the formal drawings submitted concurrently herewith.

If the Examiner is not satisfied with the drawings submitted herewith, the Examiner is encouraged to telephone the undersigned attorney so as to discuss how the drawings should be amended.

Art Rejections:

Claims 1-6, 11, 12, and 14-17 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,713,881, hereinafter Rezai, in view of U.S. Patent No. 5,728,083, hereinafter Cohen.

In Rezai, the layer 72 is a cellulose foam layer, and the layer 71 is composed of an absorbent macrostructure material, comprising primarily absorbent gelling particles. See column 12, lines 20-24, wherein it indicates that the layer 71 comprises from about 50% to about 100%, preferably from about 70% to about 100%, and more preferably about 90%

and more by weight of absorbent gelling materials. Accordingly, if the layer 71 includes foam, it could include at most 50% foam, and preferably about 10% foam.

Furthermore, as set forth in the specification at column 22, lines 45-62, the layers 71, 72 or Rezai are crosslinked together. The Examiner alleges that the disclosed bonding would imply that the Rezai layers are integrated. However, in Rezai, the substrate layer and the absorbent macrostructure layer are two preformed layers of different composition and with a given shape and structure. The two preformed layers are applied on top of each other in a dry condition, and then bonded together by means of a bonding agent, which may be a crosslinking agent creating chemical bonds between the layers. The crosslinking merely causes adjacent molecules of different layers to bond with each other. No integration of the layers can be achieved by this, wherein the layers partly penetrate into each other so that there will be no clear partitioning line between the layers.

To more clearly distinguish the claimed invention from Rezai, claim 1 has been amended to indicate that the layers are formed by placing the layers together before they are dry so that the layers partly penetrate into each other so that there is no clear partitioning line between the layers. Similar amendments have been made to independent claim 17. Accordingly, as now amended, the resulting structure of claims 1 and 17 is a structure having clearly integrated layers, in contrast to the disclosure of Rezai.

The Examiner relies upon Cohen merely for teaching bonding together different layers of material having different pore sizes. However, Cohen does not teach or suggest that the layers are foam, and thus does not overcome the deficiency of the teachings of Rezai.

Accordingly, in view of the foregoing amendments and remarks, the Examiner is respectfully urged to reconsider and withdraw the outstanding rejections.

Also submitted herewith is an Information Disclosure Statement submitting prior art made of record in copending applications.

In the event that there are any questions concerning this Amendment, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

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